

**MINUTES - U.S. DISTRICT COURT
DISTRICT OF SOUTH DAKOTA - CENTRAL DIVISION**

JUDGE: Mark A. Moreno
CASE NO: 3:18-CR-30061-RAL
Courtroom Deputy: CJH
Probation Officer: Melisa Forest

Recorded by: FTR
Date: January 30, 2019

Case:
UNITED STATES OF AMERICA,
Plaintiff,
-vs-
WAYLON YOUNG BIRD,
Defendant.

Attorneys:
Meghan N. Dilges

Katie J. Thompson

COUNTS: Conspiracy to Distribute a Controlled Substance and Possession with Intent to Distribute a Controlled Substance

MAXIMUM POSSIBLE PENALTY: Count I: Mandatory minimum of 10 years up to life in custody; \$10,000,000 fine, or both; mandatory minimum of 5 years supervised release; violation of condition of release could result in 3 years additional incarceration on any such revocation; \$100 assessment; restitution

If Defendant has a prior conviction for a felony drug offense, Defendant shall be sentenced to a term of imprisonment which may not be less than 20 years and not more than life imprisonment and at least 10 years of supervised release

Count II: 20 years custody; \$1,000,000 fine, or both; 3 years supervised release; violation of condition of release could result in 2 years additional incarceration on any such revocation; \$100 assessment; restitution

If Defendant has a prior conviction for a felony drug offense, Defendant shall be sentenced to a term of imprisonment for 30 years and 6 years of supervised release

Defendant's Age: 49 **Level of Education: GED + Trade School Education**

Hearing Set @ 2:15 p.m. **Hearing Begun @ 2:20 p.m.**

BAIL REVIEW HEARING

The Court advises as to the status of the case. The Court orally temporarily suspended Defendant's furloughs based on the information provided by the Probation Office.

Ms. Dilges presents remarks and proffers in support of the Government's request that Defendant be detained pending trial.

Ms. Thompson presents remarks and proffers in support of Defendant's request for release (house arrest). The Court advises Defendant will not be released on house arrest.

The Court rules, based on the findings made on the record, that it will revoke the temporary furlough suspension and Defendant will be allowed to self-report to custody at the Burleigh County Jail. Thereafter, Defendant's furloughs shall be revoked and rescinded and Defendant shall be detained in the custody of the United States Marshals Service (either at the Burleigh County Jail or McLean County Jail). Defendant shall be transported for dialysis treatments by the United States Marshals Service.

The Court admonishes Defendant as to traveling to Bismarck and the conditions thereto. Defendant is to report to the Burleigh County Jail no later than 7:30 p.m. CST this evening. The electronic monitoring device shall remain on Defendant while traveling until he self-reports and it thereafter may be removed.

Ms. Dilges requests that Defendant sign an order acknowledging the conditions of his furlough or he verbally acknowledge the same. Granted. Defendant acknowledges he understands the conditions of his furlough.

Hearing Ended @ 2:49 p.m..

Reported in Court Time: 29 mins.